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COMMISSION ON HUMAN RIGHTS

Fifty-third session

SUMMARY RECORD OF THE 17th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 20 March 1997, at 3 p.m.

Chairman: Mr. SOMOL (Czech Republic)

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QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS, INCLUDING:

(a) PROBLEMS RELATED TO THE RIGHT TO ENJOY AN ADEQUATE STANDARD OF LIVING; FOREIGN DEBT, ECONOMIC ADJUSTMENT POLICIES AND THEIR EFFECTS ON THE FULL ENJOYMENT OF HUMAN RIGHTS AND, IN PARTICULAR, ON THE IMPLEMENTATION OF THE DECLARATION ON THE RICHT TO DEVELOPMENT;

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(b) THE EFFECTS OF THE EXISTING UNJUST INTERNATIONAL ECONOMIC ORDER ON THE ECONOMIES OF THE DEVELOPING COUNTRIES, AND THE OBSTACLE THAT THIS REPRESENTS FOR THE IMPLEMENTATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued)

QUESTION OF THE REALIZATION OF THE RIGHT TO DEVELOPMENT (continued)

The meeting was called to order at 3.30 p.m.

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(agenda item 5) (continued) (E/CN.4/1997/17-20, 106, 110, 112, 115 and 120; E/CN.4/1997/NGO/9, E/CN.4/Sub.2/1996/12 and Corr.1 and 13; E/CN.4/Sub.2/1995/11; A/C.3/51/6)

QUESTION OF THE REALIZATION OF THE RIGHT TO DEVELOPMENT (agenda item 6) (continued) (E/CN.4/1997/21, and 22; E/CN.4/1997/NGO/2 and 32)

1. Mr. DOMMEN (World Organization against Torture), having recalled that violations of human rights not imputable to the State or its agents did not fall within the remit of bodies such as the Commission, said that the changing role of the State was making it more difficult to decide when a State's responsibility was engaged. The State's withdrawal from some of its traditional responsibilities, such as security, could lead to situations in which it was unclear whether, juridically speaking, human rights violations had taken place if, for example, human rights violations were committed by private security forces, whose creation the State had encouraged, or by its own security forces when they were being paid by a corporation.

2. The withdrawal of the State from some of its traditional social functions could leave people with no choice but to steal, or otherwise break the law, to survive. If the State's security forces, private security forces or official forces acting in an unofficial capacity, such as death squads, intervened in a manner that disregarded the human rights of the lawbreakers, it could be argued that, in all three cases, the roots of the action lay in the State's withdrawal from social activities and that there was consequently, a violation of human rights.

3. It would be most unjust if the insistence on reducing State responsibility and the privatization of certain activities removed them from the scrutiny of international human rights bodies. However, as the State withdrew, other actors were emerging to take over some of its former responsibilities. Many respectable large corporations were willing to incorporate human rights provisions into their codes of conduct, and the Commission should take a greater interest in such efforts.

4. As privatization increasingly affected human rights activities, the international community could either retain its interest in areas that had fallen outside its ambit due to the shrinkage of State responsibility, or it could urge States to continue to exercise their traditional responsibilities. In either case, the essential need to protect human rights remained undiminished.

5. Ms. de VOS van STEENWIJK (International Movement ATD Fourth World) warmly commended the report of the Special Rapporteur on human rights and extreme poverty (E/CN.4/Sub.2/1996/13) which marked a turning point in the approach of the United Nations to poverty since he had turned for information, not to university experts, but to the poor themselves. Only a few countries, urged on by non-governmental organizations (NGOs) and individuals, had adopted such a direct approach while, at the international level, only the Commission had taken up the challenge to go directly to the poorest of the "peoples of the United Nations".

6. The report, which showed conclusively that the poor were not a threat to peace but, on the contrary, hungered for peace and justice, should be transmitted to the General Assembly. The help of all United Nations bodies and specialized agencies should be enlisted, and the High Commissioner for Human Rights should become the focal point for all relevant action and programmes. Her own organization would publicize the report throughout the world and would do everything in its power, in cooperation with the Commission and other NGOs, to defend the human rights of the poor. Every step towards eradicating poverty was another step towards guaranteeing the fundamental rights of all people.

7. Mrs. GIRMA (African Association of Education for Development) said that the optional protocol drafted by the Committee on Economic, Social and Cultural Rights should be adopted. There was no need to look further than people's daily lives to understand that those rights and civil and political rights were interdependent. She fully agreed with the Special Rapporteur on the relationship between human rights and income distribution that the right to equal opportunities was a decisive factor in securing the full enjoyment of economic, social and cultural rights and that its absence led to manifest discrimination and violation of the rights of individuals (E/CN.4/Sub.2/1996/14).

8. The most serious abuses of economic, social and cultural rights were occurring in crisis-stricken areas, such as Eastern Europe, the Balkans and some parts of Africa, where large numbers of people had been displaced and had lost homes and possessions as a result of ethnic discrimination. In Africa, such discrimination, openly practised by some Governments but covert everywhere, made a mockery of equal opportunities. Jobs were allocated, and even religious leaders nominated, on the basis of ethnic origin. The regime of economic liberalization imposed by the International Monetary Fund (IMF) afforded a pretext both for sacking employees considered undesirable and for grabbing the reins of power, as corporations passed from the control of the State into the hands of members of the dominant ethnic group. Discrimination in land distribution was driving more people into the overcrowded cities. Such practices resulted also in emigration flows, whereby Africa was losing some of its best brains and skilled manpower.

9. Mr. BONARDI (International League for the Rights and Liberation of Peoples) said that the Helms-Burton Act was the latest United States attempt to undermine Cuba's economic sovereignty and prevent it from trading with third countries. United States interference in Cuba's domestic affairs was far from new: it had occurred regularly since the early days of the twentieth century. The Helms-Burton Act violated the human rights of the Cuban people, was in breach of numerous international agreements, including the Charter of the United Nations, and had been condemned by a host of countries. He urged the Commission to take steps to re-establish the status quo ante, so that Cubans would be free to conduct their economic affairs without outside interference.

10. He also urged the Commission to take steps to alleviate the harm caused by the embargo imposed on Iraq, which was seriously affecting the most vulnerable groups in that country.

11. Ms. BRIDEL (International Association of Democratic Lawyers) said that the Helms-Burton Act not only undermined the sovereignty and right to self-determination of the Cuban people, but also threatened the sovereignty and legitimate interests of other States, and was a breach of international law. The embargo against Iraq also contravened international law, and was tantamount to genocide. Vital foodstuffs and medicines were not reaching the civilian population, and children were dying by the hundred. She urged the Commission to do everything in its power to remedy both situations.

12. Mr. VITTORI (Pax Christi International) said that a close examination of economic, social and cultural rights in the developing countries raised a whole range of problems in the areas of nutrition, health, the environment and so on, often against a backdrop of unemployment. The impact of an unjust international economic order on those countries was plain to see. Moreover, the idea that a fair balance would somehow emerge from the clash of selfish interests was a perverse fallacy, as witnessed by past historical events.

13. The starting point for any solution to the growing problem of poverty must be the realities and aspirations of the individuals concerned, a recognition of human beings behind the mass of statistics. The existing economic, social and political system, with its continued idolization of market forces, was intolerable; human beings must come first. A world must be established where human dignity and a fairer distribution of wealth received greater attention. A profound change was needed in the way people thought, a change to which the NGOs and churches could make a great contribution. In that regard, he recalled the contribution of the social encyclicals in which, for over a century, the successive Popes had been warning of the dangers of economic liberalism and materialism and questioning the dominance of capitalism.

14. Ms. AVELLA (Women's International Democratic Federation) said she agreed with the Special Rapporteur on human rights and extreme poverty that such poverty was the world's most efficient and pitiless executioner, particularly of women, children and old people. However, despite the best intentions of the international community, poverty had increased in the past 10 years in Africa and Latin America, while Europe was witnessing the social consequences of poverty in places like Albania.

15. One of the reasons for the widening gap between developed and developing countries was that, in the past, the former had benefited from protectionism and State intervention at a time when the rigid discipline of the market place was being imposed on the developing countries by the Bretton Woods institutions.

16. Transnational corporations bore both direct and indirect responsibility for serious violations of economic, social and cultural rights. The Commission should do its utmost to prevent those corporations from interfering in the internal affairs of the countries in which they operated and from collaborating with racist regimes and colonial administrations.

17. Her organization supported the incorporation of the right to development in the International Covenant on Economic, Social and Cultural Rights and the initiative of the Committee on Economic, Social and Cultural Rights for an optional protocol to that Convention. It also endorsed the proposal to extend by one year the mandate of the Special Rapporteur on the question of the impunity of the perpetrators of violations of economic, social and cultural rights.

18. Mr. NARANG (Indian Council of Education) said that, while poverty was no longer associated solely with the countries of the South, such countries still accounted for the majority of the world's poor. The continuing waste of resources and their diversion towards objectives that had little to do with improving the lot of the poverty-stricken masses was a crime of which Governments in both rich and poor countries were guilty.

19. Despite its efforts to achieve economic reform, India continued to have a high infant mortality rate and low life expectancy. Traditional cultural norms and a low level of general awareness still stood in the way of material progress. Its reform programme therefore needed extensive resource inputs together with foreign investment and technology.

20. The current stagnation in foreign aid flows and the imposing of conditions which failed to take account of their social impact were a major impediment to the economic initiatives needed by the developing world. The international community should encourage the formulation of multisectoral programmes for poverty reduction; unite to put an end to armed conflicts worldwide which consumed badly needed resources; prevail upon the rich nations to assist the poor ones to improve their living standards without setting any conditions; mobilize all actors in the development process, starting with the community organizations of poor people; empower the poor through credit and self-employment schemes and encourage States to restructure their institutional and legal structures to ensure that the benefits of development reached all segments of society.

21. Ms. SLESZYNSKA (Christian Democratic International) said that her organization deplored the trade embargo imposed by the United States on Cuba and, in particular, the Helms-Burton Act directed at third countries maintaining trade relations with Cuba. The embargo hurt the Cuban people more than it did the Government, which found it a useful excuse for past failures and for restrictions on the least favoured classes. Hence the calls from

democratic organizations and independent groups inside Cuba, and the country's bishops, to the United States Administration and Congress to raise the embargo immediately, at least with regard to food and medicine.

22. Mr. HALEPOTA (Liberation) said that the arbitrary division between civil and political rights, on the one hand, and economic, social and cultural rights, on the other, was misleading and had proved to be detrimental. As shown by the events in Albania, civil and political stability was predicated upon social and economic rights. The new world order, in which profit-making seemed to have overtaken all moral and humanitarian values, was creating more problems than it resolved. For example, in the conflict between dockers in Liverpool and their employers, the latter's actions clearly violated the International Covenant on Economic, Social and Cultural Rights and the Universal Declaration of Human Rights.

23. Economic, social and cultural rights were also being violated on a large scale in Sindh, Pakistan, where the situation described in an NGO statement submitted to the Commission's fiftieth session (E/CN.4/1994/NGO/56) continued to prevail. His organization strongly supported the recommendation contained in the concluding paragraphs of that document and appealed to the international community to support the Sindhis' peaceful struggle against the neo-colonialization and occupation of their land and massacre of their people.

24. Ms. YRGAARD (Women's International League for Peace and Freedom) said that attention needed to be focused on the situation of the so-called "new" poor, a category which had recently emerged in some industrialized countries as a result of the abolition of legislation to protect labour rights and the "low-wage strategy" adopted by the countries in question. Vulnerable groups such as single mothers, migrant workers and unskilled workers were particularly affected and an active social-investment strategy was needed to prevent the problem becoming a chronic one. Structural adjustment measures promoted by international financial institutions also entailed significant social costs for the poorest sectors of society, especially women.

25. One of the main issues to be considered by the Working Group on the Right to Development was thus how to reverse the trend towards increasing poverty and extreme poverty, which constituted a denial of basic human rights for major sections of the world population. In preparing measures to implement and promote the right to development, the Working Group should seek the cooperation of United Nations agencies and organizations, as well as of NGOs and individuals, including women, and should seek alternatives to the policies promoted by the Bretton Woods institutions.

26. Mr. MASUD (World Muslim Congress) said that peoples under foreign occupation and alien domination were at a particular disadvantage in terms of the right to development. In the specific case of Indian-held Kashmir, the occupying power had made sure that Kashmiris remained a backward people. They had plundered the territory's wealth, with the result that Kashmir ranked near the bottom of the areas under Indian jurisdiction in terms of the physical quality of life and other social and economic indicators. Education, especially higher education, had also suffered heavily as a result of the occupation.

27. His organization called upon the Intergovernmental Group of Experts on the Right to Development to give special consideration to the issue and submit concrete recommendations in its next report. A clear message should go out from the Commission to India demanding that the Kashmiri people be granted their right to development and no longer be denied their economic, social and cultural rights.

28. Mr. PARREIRA (Angola) said that because of its recent history, his country attached great importance to respect for human rights including the right to development. It had acceded to many human rights instruments, including the four Geneva Conventions of 1949, the African Charter on Human and Peoples' Rights, the Convention for the Elimination of Mercenarism in Africa, the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, the International Covenants on Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child.

29. His Government was attempting to make peace and reconciliation a reality for all Angolans, in the conviction that tolerance and dialogue should replace the mistrust and arbitrary action of the past. Its efforts had been recognized throughout the world. It was, however, aware that there was still a long way to go and, in that spirit, it had proposed at the 1996 Summit of African Heads of State that an African human rights conference should be convened.

30. The Organization of African Unity (OAU) had decided to convene such a conference in 1998. That showed Africa's determination to achieve respect for human rights at every level. The OAU had already begun to prepare for the conference, with the support of all the African countries, and he appealed to all States, the Commission and the Centre for Human Rights to provide the necessary political, moral and material support to make the conference a success.

31. The CHAIRMAN invited the Special Rapporteur of the Sub-Commission on human rights and extreme poverty to introduce his final report (E/CN.4/Sub.2/1996/13), on the understanding that the invitation did not create a precedent for special rapporteurs of the Sub-Commission and had no financial implications, since Mr. Despouy was already in Geneva.

32. Mr. DESPOUY (Special Rapporteur of the Sub-Commission) said that he had tried as far as possible to avoid academic or legal jargon in his report and to stress in human terms how important the issue of human rights and extreme poverty was. The extent of poverty worldwide was massive and the situation was getting worse. The latest estimate was that there were as many as 2 billion people living in extreme poverty, and not just in the developing countries, although naturally there were fewer in the developed world. In some ways, extreme poverty had more impact than war, and there was in fact a link between poverty and war, since many armed conflicts arose as a result of extreme poverty.

33. The problem was such that it placed an obligation on the whole international community. Africa was worse affected, but poverty was also

increasing in Latin America, both relatively and absolutely; only in Asia had the improved economic performance in such large countries as China and India led to a relative decline in poverty.

34. His report also tried to evaluate the activities of the various organizations of the United Nations system. There was contrast, for example, between the contribution of the United Nations Development Programme (UNDP), which took account of human rights as well as the economic consequences of development, and the IMF, which still tended to ignore activities with a social content. Such divergences of approach should be a matter of concern to all members of the United Nations family, especially when 1997-2006 had been proclaimed the first United Nations Decade for the Eradication of Poverty.

35. Extreme poverty had often been perceived as simply an economic problem, but it was important to view it from a human standpoint. A person's living and working conditions had a direct affect on the quality of the work itself. It was thus essential to take every aspect of life and not merely the economic, into account. Another important factor was the tendency to inherited extreme poverty, from which people could escape only if they secured genuine recognition of their human rights, with access to legal remedies. The work of the Committee on the Rights of the Child showed what abuses could occur in the absence of such access. Extreme poverty involved just as great a deprivation of rights and social freedoms as slavery or apartheid, except that the former had been practised institutionally, whereas poverty was endemic. Removal of the institutional practices enabled individuals to recover their rights.

36. He urged the international community to read his report and adopt his recommendations concerning both national policy and international action. While the High Commissioner for Human Rights could propose the adoption of permanent measures to mark the Decade, such measures should reflect a multidimensional consideration of poverty rather than any one aspect of it. Policies alone were not enough. The spread of extreme poverty must first be halted and then policies could be put in place to make up the ground that had been lost.

37. Mr. DEMBRI (Algeria) said that the right to development presupposed a restructuring of international economic relations on the basis of mutual interest and consensus. The developing countries' economic vulnerability, reflected in the steady deterioration of their social and economic indicators, was responsible for rising social discontent which, in turn, constituted a permanent source of political instability. Relations between the developed and developing worlds were more than ever marked by disparity at the economic, social, political and cultural levels, the imbalance having actually increased since the ending of the cold war.

38. The North-South Dialogue had petered out in the 1980s when the North had lost interest in developing the South. With economic globalization, the developing countries had had to contend with more obstacles to achieving access to international trade and technology, as well as with an increasing external debt burden. It was in that context that the creditor countries

currently sought to establish unilaterally a new international agenda based on their own security concerns and a new institutional economic agenda, while simultaneously attacking the claims and concerns of the South.

39. Some developed countries, indeed, asserted that the developing countries were so heterogeneous that the concept of a "South" was meaningless. Such false logic exacerbated the problem faced by the underdeveloped countries in their struggle with the extreme poverty of their people, which was greatly aggravated by structural adjustment programmes.

40. North-South relations could not change unless the developed world rethought its practices and policies. There could be no real peace in the world, or prosperity in the North, unless economic growth was accelerated in the South. Degradation of the environment, drug trafficking and organized transnational crime were among the problems that could be tackled only on the basis of equal rights to development for all. The interdependence of national situations called for international solidarity, which should be expressed in a serious and constructive dialogue covering such crucial questions as structural adjustment, debt and development financing, equitable participation in international trade and access to technology.

41. Major differences of approach to the right to development would have to be overcome if solidarity was to be achieved. In the first place, while the developing countries considered the economic and social aspects of development to be indivisible, some of the most developed countries thought that social development could take place independently of economic and financial development. Secondly, by placing democratization and respect for human rights at the centre of the development process, some countries hoped to mask the imbalances brought about by colonial domination and ignore the international economic order. Thirdly, the developed countries were still reluctant to allocate an adequate percentage of their GNP to development and still dismissed the idea of coordinating the activities of the United Nations system and the Bretton Woods institutions.

42. The role of the United Nations was diminishing and the involvement of the Bretton Woods institutions increasing, as far as poverty was concerned. The developing countries therefore urged that there should be adequate coordination between the IMF and the World Bank, on the one hand, and the Economic and Social Council and the General Assembly, on the other. The crucial importance of such coordination would be reinforced if the Economic and Social Council were replaced by an economic security council.

43. Urgent action was required from the United Nations institutions to deal with the problems arising from the huge international imbalances. Multilateral action must be expanded, not contracted. Such action should maintain respect for the social, cultural and spiritual identity of every people and nation and the right to development should be given practical expression. Otherwise, poverty and social insecurity would aggravate still further the risks to stability and even peace in some parts of the world.

44. It was to be hoped that the Working Group would soon come up with some practical recommendations and that a follow-up body would be established.

In that connection, he applauded the work of the International Commission of Jurists in the defence of all human rights, without which the potential of the human being could not be fully realized.

45. Mr. GORKUN-VOEVODA (Russian Federation) said that, just as economic growth was all but unthinkable under a totally repressive regime, there could be no triumph of democracy in a country where poverty reigned. Moreover, deprivation of a range of human rights could lead to the collapse of civil order, as shown by the occurrences in southern Europe. The situation was a serious one that should be pondered deeply by the international financial institutions, donors and all those concerned with the implementation and development of democracy.

46. Inadequate economic growth and the debt burden were an obstacle to the universal implementation of social and economic rights. A new approach was called for and could be achieved through measures to achieve compliance with the International Covenant on Economic, Social and Cultural Rights. The High Commissioner for Human Rights and other human rights mechanisms should be guided in all their activities - including crisis prevention - by the principle of the equality of all human rights.

47. International trade promoted the realization of social and economic rights by creating new jobs, encouraging higher budget allocations for social needs and increasing the well-being of society. Unilateral, discriminatory action was therefore unacceptable, since it ran counter to internationally accepted standards of free trade and investment, as well as exceeding national jurisdiction. It was also essential to ensure that damage to a target country, or to third countries, as the result of the imposition of sanctions was kept to a minimum.

48. The end of the cold war had promised to strengthen economic cooperation and the social and economic foundations of young democracies in Europe and to reorient the defence industry to meet the needs of the consumer market. However, new areas of confrontation had arisen. In particular, ethnic origin was used as a pretext for arbitrarily depriving people of their rights under the International Covenants.

49. He agreed with the High Commissioner that the right to development was becoming an increasingly important tool for fighting social, economic and cultural deprivation. The right to work and to have adequate food was just as important for a democracy as the right to vote. The Commission's discussions on development should be marked by constructive dialogue and a spirit of compromise rather than confrontation and rhetoric. The inclusion of the right to development as a subprogramme of the medium-term plan for 1998-2001 suitably reflected the importance of that right for 85 per cent of the world's population.

50. Mr. ARBOGAST (United States of America) said that there was a strong correlation between development and the freedom of civil and political institutions. The most prosperous nations were the free-market democracies. Human rights and fundamental freedoms were the building blocks of development, as the Vienna Declaration had recognized.

51. Consequently, only a fully integrated approach could lead to sustainable development. His country's development programmes thus addressed a wide range of interlocking issues, including the need to strengthen the rule of law, respect for human rights, competitive political processes, free media and accountable government institutions. The integrated approach ensured the sustainability of both democracy and development.

52. In line with the goal of comprehensive empowerment, many of his country's development programmes targeted women and other disadvantaged groups. In some areas of development, the United States had drawn practical lessons from the experience of other countries, including developing ones. Because resources were limited, development programmes must be results-oriented. The progress made since the abolition of apartheid in South Africa and the restoration of democracy in Haiti and the Central and Eastern European countries confirmed that freedom was the basis for development.

53. Development assistance was also a means of preventing destabilizing conflict and rebuilding war-torn societies. In such cases, it must take into account crisis prevention and conflict resolution, the need for such countries to come to terms with their past and to rebuild governmental and civic institutions such as the justice and banking systems and the need to meet basic humanitarian needs while laying the foundations for sustainable, long-term solutions. Mozambique, El Salvador and Cambodia exemplified the success of such comprehensive development strategies.

54. At its preceding session, the Commission had established the Intergovernmental Group of Experts on the Right to Development to propose practical measures in that area. He hoped that the Commission would also adopt a realistic and results-oriented approach and move beyond the sterile debates that had wasted its time for much too long. It could no longer be argued that individual rights could not be realized until a country had developed, since only freedom, not repression, could lead to sustainable development.

55. Mr. GONZÁLEZ MARCHANTE (Cuba) said that some countries stubbornly continued to promote political and civil rights at the expense of economic, social and cultural ones. The improvement of certain macroeconomic indicators as a result of neo-liberal formulas had created a false optimism in the developing world which ignored the high social costs of such growth, though even the World Bank had come to recognize that those policies had serious consequences, including the exacerbation of poverty.

56. In the developing world, millions of people, most of them children, continued to die of curable diseases; over one third of all children were malnourished; and the child mortality rate was nearly six times the rate in developed countries. Some 800 million people suffered from hunger, and it was estimated that half the population of sub-Saharan Africa would be living in extreme poverty by the year 2000.

57. The economic policies foisted upon the developing countries through adjustment programmes designed by the major international financial

institutions yielded benefits for a select few, while widening income disparities and bringing unemployment and marginalization to alarming levels. Although Governments appeared to agree on the urgency of fighting poverty, there was a large gap between their words and their deeds. The international community had reduced the amount of available financial resources and attached further conditions to sources of funding, which only complicated the social difficulties of the developing countries.

58. Significantly, only 10 to 15 per cent of the World Bank's projects included social impact assessments. The United Nations Conference on Trade and Development (UNCTAD) had estimated that only 7 per cent of bilateral aid and 16 per cent of multilateral aid for poverty alleviation was allocated to projects concerning basic social needs (basic education, primary health care, drinking water, sanitation and nutrition), because the donor Governments had other priorities which they considered more important.

59. External debt continued to weigh heavily on the economies of developing countries and to draw off much of their income. The High Commissioner for Human Rights should play an active role in promoting international dialogue and cooperation and applying formulas and mechanisms to correct the negative effects of adjustment policies on the enjoyment of all human rights. Likewise, the guidelines devised by the working group on structural adjustment programmes should ensure that policies were truly aimed at guaranteeing development.

60. He hoped that the Intergovernmental Group of Experts on the Right to Development would build upon the experience of the Working Group on the Right to Development its predecessor, and refrain from attempting to redefine the principles laid down in the Declaration on the Right to Development, when proposing measures to ensure the full enjoyment of that right in all States.

Statements in exercise of the right of reply

61. Mr. HERNÁNDEZ BASAVE (Mexico), referring to the statement by the representative of the International Educational Development, Inc., on behalf of the Mexican national human rights network "Todos los Derechos para Todos", said that Mexico, with support from foreign Governments and the international financial community, had overcome the acute financial and economic crisis of late 1994. Recently, the country had repaid the remainder of the debt contracted with the United States in 1995 and had made two prepayments to the IMF.

62. In 1996, Mexico's GDP had risen by 5.1 per cent and employment levels had recovered, while inflation had fallen to half its 1995 rate. Grain and sugar production had reached record levels, as a result of large investments in direct support of Mexican producers, and millions of dollars had been spent on improving infrastructure and technology in the agricultural sector.

63. Special care had been taken to meet the needs of the population, especially the poorest groups, and to mitigate the adverse effects of the crisis, inter alia through subsidies for staple foods, job training and the creation of temporary employment. His Government's ongoing programmes to

combat extreme poverty included the provision of free or subsidized food, education and health care. Over 70 per cent of the Government's poverty-reduction resources were used to develop basic infrastructure, especially drinking-water and sewer systems, electric power, housing, health-care centres and schools.

64. Although much remained to be done to improve the quality of life of all Mexicans, the Government was firmly committed to improving the population's economic and social situation and to respecting the human rights and fundamental freedoms which had been recognized in the Constitution since the country's independence.

65. Mr. MOUSSAEV (Observer for Azerbaijan) said that the statement by the observer for Armenia exemplified, once again, that country's attempts to justify its aggression against Azerbaijan and the crimes against humanity perpetrated by the Armenian armed forces. The obstacles to socio-economic development mentioned in that statement had not prevented Armenia from illegally occupying 20 per cent of Azerbaijan's territory, including Nagorno-Karabakh.

66. Armenia was thereby causing development problems for the entire region, which it could resolve only by withdrawing from all the occupied territories and respecting the sovereignty and territorial integrity of Azerbaijan and the other States of the region.

67. Ms. CALLANGAN (Philippines) said that her delegation took exception to paragraphs 41 and 44 of the report of the Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights (E/CN.4/1997/19). The importation of battery scrap into the Philippines was strictly regulated and a total ban would be imposed at the end of 1997, in conformity with the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal. Only safely recyclable battery scrap was currently allowed into the country, and the recycler was monitored for compliance with air quality, water effluent and solid waste disposal standards.

68. With respect to the allegations in paragraph 44, there was no evidence of acute poisoning or immediate threats to human health as a result of mine waste leakage, and no evidence of trace metal contamination or accumulation in the Boac River that might pose toxicological risks. The tunnel leak had been sealed and long-term rehabilitation efforts were under way. She also took exception to the implication of conspiracy between Placer Dome, Inc. and the Governments of developing countries, including the Philippines.

69. All special rapporteurs should verify the facts and avoid making unsubstantiated allegations, since their reports were often quoted in forums where the Governments concerned had no opportunity to present their position.

70. Mr. NAZARIAN (Observer for Armenia) said that the Commission was not the appropriate forum for discussion of the issue of Nagorno-Karabakh, which the observer for Azerbaijan had raised. The security of that region must be

guaranteed. The actions and policies of Armenia and Nagorno-Karabakh arose from the conviction, based on past experience, that Azerbaijan would impose a military solution if given the chance.

71. Armenia's neighbours were threatening its political and economic security and opportunities for economic development and integration with the rest of the world. It could not achieve development unless its relations with its neighbours were normalized and the conflict over Nagorno-Karabakh was settled peacefully.

The meeting rose at 6.10 p.m.